

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

MICHAEL PAIGE,)	CASE NO. 4:21-CV-579
)	
Petitioner,)	JUDGE CHARLES E. FLEMING
)	
vs.)	MAGISTRATE JUDGE
)	DARRELL A. CLAY
WARDEN DOUGLAS A. FENDER,)	
)	OPINION AND ORDER ADOPTING
Respondent.)	MAGISTRATE'S REPORT AND
)	RECOMMENDATION

On March 10, 2021, Petitioner Michael Paige (“Petitioner”) filed a Petition for a Writ of Habeas Corpus (“Petition”), pursuant to 28 U.S.C. § 2254. (ECF No. 1). On February 1, 2024, Magistrate Judge Darrell A. Clay submitted a Report and Recommendation (“R&R”), recommending that the Court dismiss the Petition as untimely or, in the alternative, dismiss grounds two and five as procedurally defaulted, dismiss ground four as not cognizable, and deny grounds one and three as meritless. (ECF No. 14).

Fed. R. Civ. P. 72(b)(2) provides that the parties may object to an R&R within fourteen (14) days after service. The R&R gave the parties notice of the 14-day time limit for filing objections. (ECF No. 14). As of March 25, 2024, neither party filed any objections.

Under the Federal Magistrates Act, a district court must conduct a *de novo* review of the portions of the R&R to which the parties objected. 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b)(3). Absent objection, a district court may adopt an R&R without further review. *See Peretz v. US*, 501 U.S. 923, 939 (1991); *Thomas v. Arn*, 474 U.S. 140, 141–42, 149–50 (1985).

Accordingly, the Court **ADOPTS** Magistrate Judge Clay's Report and Recommendation, incorporates it fully herein by reference, and **DISMISSES** the Petition. The Court also finds that there is no basis upon which to issue, and will not issue, a certificate of appealability. Fed. R. App. P. 22(b); 28 U.S.C. § 2253(c).

IT IS SO ORDERED.

Date: March 25, 2024



CHARLES E. FLEMING
UNITED STATES DISTRICT JUDGE